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1. Public Comment #1
Public Comment will be taken during this agenda item regarding any item appearing on the agenda. No action may be taken on a matter discussed under this item until the matter is included on an agenda as an item on which action may be taken. The secretary of the State Public Charter School Authority Board will impose a time limit of three minutes. Public Comment #2 will provide an opportunity for public comment on any matter within the Authority's jurisdiction, control or advisory power.
2. Approval of the February 26, 2016, March 9, 2016 and March 25, 2016 SPCSA Board Meeting Minutes (Adam Johnson, Chair, SPCSA) **(Information/Discussion/Action)**
3. Director's Report (Patrick Gavin, Executive Director, SPCSA) **(Information/Discussion/Action)**
4. Alpine Academy School Presentation (Jill Ross, Principal, Alpine Academy) **(Information/Discussion)**
5. Consideration of Silver State Charter School settlement agreement and consideration of joint petition to appoint receiver (Greg Ott, Deputy Attorney General; Patrick Gavin, Executive Director, SPCSA; Representatives of SSCS) **(Information/Discussion/Action)**
6. Director Evaluation (Adam Johnson, Chair, SPCSA) **(Information/Discussion/Action)**
7. Nevada Department of Education Presentation (Dr. Steve Canavero, Superintendent NDE) **(Information /Discussion)**
8. Public Comment #2
Public comment will be taken during this agenda item on any matter within the State Public Charter School Authority Board's jurisdiction, control, or advisory power. No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. The secretary of the State Public Charter School Authority Board will impose a time limit of three minutes.
9. Adjournment **(Action)**

STATE PUBLIC CHARTER SCHOOL AUTHORITY**SUPPORTING DOCUMENT**

**S U B J E C T: Approval of the February 26,
2016 and March 9, 2016 SPCSA and March 25,
2016 SPCSA Board Meeting Minutes**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: April 29, 2016

AGENDA ITEM: 2

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Adam Johnson, Chair SPCSA

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 5 Mins

SUBMITTED BY: _____

NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

February 26, 2016

Nevada Department of Education
700 East Fifth Street
Board Room
Carson City, Nevada

And

Nevada Department of Education
9890 South Maryland Parkway
Board Room
Las Vegas, Nevada

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

In Las Vegas:

Adam Johnson
Elissa Wahl
Marc Abelman
Nora Luna
Melissa Mackedon

In Carson City:

Kathleen Conaboy

Teleconference:

Robert McCord

BOARD MEMBERS ABSENT

None

AUTHORITY STAFF PRESENT:

In Las Vegas:

Patrick Gavin, Director, State Public Charter School Authority
Joan Jurgensen, Education Program Professional, State Public Charter School Authority
Nya Berry, Education Programs Professional, State Public Charter School Authority
Traci House, Business Process Analyst, State Public Charter School Authority

In Carson City:

Angela Blair, Education Program Professional, State Public Charter School Authority
Kathy Robson, Education Program Professional, State Public Charter School Authority
Katie Higday, Management Analyst, State Public Charter School Authority
Danny Peltier, Administrative Assistant, State Public Charter School Authority

LEGAL STAFF PRESENT:**In Las Vegas:**

Greg Ott, Deputy Attorney General

AUDIENCE IN ATTENDANCE:**In Las Vegas:**

Attendance Sheet Attached

In Carson City:

Attendance Sheet Attached

CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA

Before Chair Johnson began the meeting, he said the Authority would not hear agenda items 6 or 13.

Member Wahl moved for a flexible agenda. Member Mackedon seconded. The motion carried unanimously.

Agenda Item 1 – Public Comment

Ercan Aydogdu spoke about Coral Academy of Science Las Vegas's new campuses at Nellis Airforce Base and Centennial Hills. He said the permits had been completed and both campuses were on schedule for their opening dates.

Eseroy Aydogu spoke about Coral Academy of Science and how it had impacted her life positively. She said she would not be where she was in life without having attended Coral Academy of Science Las Vegas. Brenden Rosales spoke in support of the campus expansion for Coral Academy. Okshun also spoke in support of Coral Academy's expansion request.

Orlando Dos Santos, Interim principal of Nevada Virtual Academy, spoke in opposition to the ACT Aspire test as an accountability measure by the SPCSA. He said there has been a lack of training and direction for schools which could negatively impact the school's test scores. He said there were no accommodations for Special Education students taking the ACTR Aspire test. He requested the Authority develop a different assessment for schools with high special populations so the scores of those with special needs would be more accurately scored.

Brian Lee, Executive Director of the Nevada State Education Association, offered his entity's assistance to the SPCSA with regard to Silver State Charter Schools possible charter revocation. He said the teachers who were members of the Association had been negatively impacted by the poor management of the school's administration and governing body. He said the association would be happy to work with the

SPCSA during the 2017 legislative session to protect teachers when the charter school they are employed by fails to manage itself properly.

Dori Gallegos spoke in support of Nevada Connections Academy and in opposition Nevada Connections Academy's Notice of Closure that had been listed on the agenda.

Steve Edwards spoke about the work he had done for Quest Academy regarding the parking issues at the Roberson campus. He said he wasn't speaking in support or opposition of Quest, rather he was informing the Authority board of the work he had done.

Colquitt Lamont, parent and Site Administrator at Quest Academy, spoke in support of keeping the Roberson campus open.

Andrew Cowen, property manager for the Azure campus, spoke about Agenda Item 4. He said Quest had negatively impacted other businesses located near the campus. He said a dialysis clinic had been especially impacted due to the noise and traffic issues Quest Academy had caused. He said patients, staff and other people associated with the dialysis clinic had been adversely impacted and it has caused great disruption to the day-to-day operations. He said the school has not met the terms of the special use permit that had been granted by the city of Las Vegas and because of the inability to meet the terms of the special use permit, he, along with the businesses he represents, request the Quest Roberson campus be closed upon the end of the 2015-2016 school year.

Trudy and Joel Killman spoke in support of the Quest Roberson campus and asked the Authority board not to close it. Dennis and Tara McAdorey spoke in support of Quest Academy's Roberson campuses remaining open beyond the 2015-2016 school year. John Brown spoke in support of the Roberson campus remaining open. Madison Perkins, student at Quest, echoed the sentiments of other public comments in support of Quest Academy and asked that the Roberson campus remain open. Don Asperian, student at Quest Academy, spoke in support of the Quest campus remaining open beyond the 2015-2016 school year. Betsy Johnson spoke in support of Quest Academy's Roberson Campus to remain open and she added that she hoped better communication would take place between parents and individuals responsible for the decision regarding the status of the campus.

Andrew Ballogh, business owner in the owners association, said he invites all of the parents of Quest to come speak to him about the concerns that business owners have. He said the owners were consulted about the prospect of the school moving into their business park and it has been a major disruption to the surrounding businesses. He asked that the campus be closed at the end of the 2015-2016 school year.

Stacy Peppley, parent at Quest, spoke in support of the Quest campus remaining open beyond the 2015-2016 school year. Shawn Peppley, student at Quest, spoke in support of keeping the Roberson campus open. Jeana Monlux spoke in support of Quest Academy's Roberson campus continuing operations beyond the 2015-2016 school year. Carter Monlux and Jordan Monlux spoke in support of Quest Academy. Cassandra Mattice, parent at Quest, spoke in support of allowing the Roberson campus to remain open. Rebecca Turner, parent at Quest Academy, spoke in support of Quest Academy.

Kimberly King, parent of Nevada Connections Academy student, spoke in support of Nevada Connections Academy and said she hoped the Authority would allow Nevada Connections Academy to be able to continue to serve students across Nevada.

Tomas Gaiman, student at Quest, spoke in support of Quest Academy's Roberson campus. Lamont Fitzgerald spoke in support of Quest Academy. Teranda Young, parent at Quest Academy, spoke in support of Quest Academy. Victoria Felix, student at Quest, spoke in support of Quest Academy. Veronica Felix-Neuhaer, parent at Quest, spoke in support of Quest Academy. David Salmon, former parent at Quest Academy, business owner in the Roberson campus location and counsel of the landlord Dynamic Properties, spoke in support of Quest Academy and said that not all business owners in the business park are in opposition to Quest Academy. He said that he had assisted the Quest Academy in trying to update the special use permit that had been granted by the city of Las Vegas. He said that no official complaints had been submitted in opposition of Quest Academy. Gabriella Zeideler, student at Quest Academy, spoke in support of Quest Academy's Roberson campus remaining open beyond the 2015-2016 school year. William McAdorey, student at Quest Academy, spoke in support of Quest Academy. Terri Barber, director of Human Resources, spoke in support of Quest Academy and said she would do anything within her power to help find another campus within the Quest family if the special use permit was denied by Las Vegas.

Chick Calloway, parent of Nevada Connections Academy, spoke in support of Nevada Connections Academy and said it would be devastating to his family if Nevada Connections Academy were to be closed. Larissa Gorton, student at Nevada Connections Academy, spoke in support of Nevada Connections Academy. Leighla Gorton, student at Nevada Connections Academy, also spoke in support of Nevada Connections Academy.

Agenda Item 2 – Approval of the January 4, 2016 SPCSA Board Meeting Minutes

Member Mackedon moved for approval of the minutes with edits. Member Luna seconded. The motion carried unanimously.

Agenda Item 4 - Quest Receiver Update, including discussion and possible action to reduce enrollment and eliminate grade levels in conjunction with the revocation the school's authorization to occupy the Roberson campus and to the impending non-renewal of the campus's special use permit

Member Wahl began by speaking directly to the Quest Academy parents that were in attendance. She asked them to apply for the board of Quest so they may be able to help the school and prevent it from being put into these type situations in the future.

Josh Kern, Quest Receiver, spoke about his report that he had submitted to the Authority regarding the events at Quest Academy while he has served as their receiver. Mr. Kern said after an audit revealed significant operational issues at Quest; the SPCSA placed the charter school into receivership on October 26, 2015. The SPCSA appointed him to serve as the receiver. He said he took swift action after his appointment by assuming control of all financial accounts and stopping payments on all outstanding debts, pending a complete evaluation of the school's viability. He responded to several outstanding legal claims and sought coverage from Quest's insurance provider where appropriate. He made initial staffing cuts and reviewed accounting policies and procedures to develop a new financial management plan for the school. He also reviewed the forensic audit of Quest's operations for the 2013-2014 and the 2014-2015 school years and used its findings in addressing the outstanding issues.

Mr. Kern said his main objective was to preserve Quest's ability to educate students while addressing the significant, outstanding financial issues as quickly as possible. He said the mismanagement at the school had spanned several years and it may take a significant period of time to unravel and remedy these problems. Mr. Kern said at the close of the 2012-2013 fiscal year, Quest maintained a cash balance exceeding \$1,000,000, but by the end of the 2015-2016 year, Quest's expended, unpaid obligations will

exceed \$2,400,000. Quest experienced this reversal after entering into contracts for equipment, curriculum and facilities that exceeded its budget and cost more than the going rate.

Mr. Kern said key members of Quest's governing body appeared to be responsible for this budget shortfall. They entered into a costly agreement with Chartered for Excellence Foundation, an independent foundation created by one of Quest Board members with other board members support. The agreement tasked CFEF with providing services to Quest at financial terms that were highly favorable to the Foundation, not the school. Most costly was a campus sublease which obligated Quest to pay \$14,771 more per month than CFEF's actual cost. Quest also hired relatives of its Board President to positions for which they were not qualified and at salaries exceeding the going rate.

Mr. Kern also said Quest's managers irresponsibly entered into contracts and failed to oversee its financial systems. Without the Quest board approval, the Board President entered into several contracts that operated to the detriment of the school. These contracts included expensive and inappropriate loan agreements, technology contracts and salary increases for employees. Quest hired a former board member and her husband for full time positions and overpaid both individuals by more than \$70,000 during a seven month period. Quest also failed to pay the appropriate amount to the Public Employee Retirement Systems and currently owes \$360,000.

Mr. Kern said some of the actions he had taken were to evaluate the outstanding financial liabilities, pursue claims concerning former board member and employees, evaluate the campuses, reduce staff salaries, implement financial management and capacity plans and conduct a performance audit. Mr. Kern said they had stopped all payments Quest had entered into until they can understand if the agreement was properly executed. He said they also reviewed the financial viability of each of the campuses to ensure Quest would be able to meet its non-negotiable financial obligations. Mr. Kern said the most urgent situation at Quest Academy is the Roberson campus. He said the special use permit was of utmost importance to the viability of the Quest campus. He said the school was operating in accord with the special use permit, but if the permit is not renewed it would create a financial hardship for the school that would be difficult to overcome.

Member Mackendon asked if the campuses would be financially viable, even if the special use permit was renewed, at the rate which Quest was paying for rent. Mr. Kern said they would have to renegotiate all of the leases in order for the school to be financially viable.

Richard Holley, attorney for the Quest Receiver, said the financial situation was going to be difficult. He said, while the landlords were local, the majority of the creditors were not, and that would make the negotiations difficult. He said these entities typically do not allow "do-overs" and that needed to be taken into consideration regarding the financial viability of the school. He said the school would not be able to walk away from the obligations without some financial ramification which could negatively impact the future of the school.

Chair Johnson asked what the probability was for the special use permit to be renewed. Mr. Kern said there was no way to give a probability. He said based on the testimony given at the meeting, the Authority had the same information the school did. Mr. Kern said it was also worth noting that even if the school were to close it would not free them from the financial obligations. Member Conaboy asked if the lease for the Roberson campus was contingent on the special use permit being in place. Mr. Kern said, no that was not the case. Member Conaboy asked, even if the special permit was not renewed, would Quest still be obligated for the lease on the campus. Mr. Holley said yes, the school would be obligated but there would be an opportunity to sublease. Member McCord said he was very concerned with the fiscal

liabilities that exceeded \$2 million and he was interested how the school would be able to remain solvent for future school years. Mr. Kern said the school was not going to be financially viable if the school was not able to renegotiate its obligations and there was no solution to the problem unless they were able to renegotiate its obligations. Member Mackedon said she felt the Authority was in line with the public comment from parents earlier in the meeting, but she feels the situation is very tenuous and she was disappointed in the decisions of the school prior to the school being taken over by the receiver. Member Conaboy asked if all of the other Quest campuses were at capacity if the school were to move pupils from the Roberson campus to other campuses. Mr. Kern said all of the other campuses were at capacity and it would not be possible to add the students from the Roberson campus to other campuses.

Member Luna asked if the Authority were to revoke the Roberson campus, would that preclude the school from being able to look for available space in other areas of Las Vegas. Director Gavin said the revocation of the campus would be made effective at the end of the special permit's termination date, but the school would be able to pursue other opportunities if something were to come up. He said the issue was the notification time for parents so they could plan for other schools, and to give that notification to the parents with as much time possible to be able to make those decisions.

Member McCord asked about the outstanding PERS payment the school also owed and how that would affect its finances. Mr. Kern said Quest had every intention to repay its PERS payments and he would try to negotiate with PERS to limit the penalties the school would be required to pay. Discussion continued between the Authority, Mr. Kern and Director Gavin regarding various outcomes to Quest Academy in the event the special permit was, or was not, renewed.

Member Conaboy asked what steps were being taken to ensure the special use permit be renewed. Mr. Holley said there had been numerous conversations with the city and the process would be concluded in July, or as early as April, if the city was willing to expedite the process. He said the outcome of the Authority hearing would have great effect on the pursuit of the special use permit. Director Gavin added the school would have to make other significant changes even if the special use permit were to be renewed, but those would be discussions for later meetings. Director Gavin said the decision before the Authority at this meeting would only be the first in a line of decisions that would be placed before the Authority regarding Quest.

Member Wahl moved for revocation of the Quest Academy's authority to operate the Roberson Campus and direct Quest Academy staff to notify parents at Quest Academy of the decision of the Authority and to revoke the high school grades. Discussion continued.

Member Luna asked if the Authority was making the assumption of the special use permit vote, which would be unfair to Quest Academy. Member Mackedon said she believed the Authority owed it to the parents to let the special use permit process to play out before the Authority make a decision regarding the future of the high school grades at Quest. Discussion continued regarding how Quest Academy would notify parents upon nonrenewal of the special use permit and whether that needed to be included in the Authority's decision regarding the agenda item. Member Conaboy asked if the motion carried, would the receivers then not spend more time trying to pursue renewing the special use permit. Chair Johnson said the amendment to motion would be for the receiver to pursue renewing the special use permit. Mr. Kern said if the motion was not amended it would have a significant chilling effect on the efforts to renew the special use permit. He said as a practical matter, if the high school authority would be revoked, there would be no reason to pursue the special use permit renewal because there would not be a school to operate in the campus that was trying to be renewed. Director Gavin asked what the estimate of high school aged students that had applied to the Roberson campus for the 2016-2017 school year. Mr. Kern

said he did not have that estimate. Director Gavin said that it should be noted there were a fair amount of parents who had applied to attend the Roberson campus who would be left unclear as to the status of the campus and whether they should pursue other educational opportunities.

Member Wahl moved for revocation of the Quest Academy's authority to operate the Roberson Campus in the event of the special use permit not being renewed and direct Quest Academy staff to notify parents at Quest Academy of the decision of the Authority and to revoke the high school grades. There was no second. Discussion continued.

Member Conaboy motioned to revoke Quest Academy's authority to occupy the Roberson Campus at the end of the school year and further, remove the authority for the school to offer high school grades at the end of the school year. Those two items are contingent upon the nonrenewal of the special use permit, and/or the inability to renegotiate the lease at reasonable terms within the business judgement of the receiver. Immediately after the Authority meeting, Quest staff is directed to notify parents of the pending Roberson special use permit decision and to notify applicants of the Quest Academy Roberson High School of the possibility the special use permit may not be renewed by putting a notice on the website. Member Mackedon seconded. The motion carried unanimously

1:25 meeting back to order.

Agenda Item 11

The SPCSA Board approved staff's recommendation of the expansion of the ACT Aspire assessment at the September 28, 2015 Board meeting. Pursuant to that approval, staff pursued and obtained IFC and BOE approval for purchasing additional grade levels. Staff also committed to working closely with school leaders to identify an appropriate solution that balanced the Authority's need to have accurate and reliable academic data to make high stakes decisions with schools' concerns related to over-testing. At a convening organized by Somerset Academy in January, school leaders and their representatives participated actively in discussions related to these areas of concern. Based on the feedback from stakeholders, four strong options emerged:

- Option 1: Test all grades 3-10
 - This option provides the most robust and consistent dataset
 - It allows for growth calculations across all grade levels
- Option 2: Test grades 3-4, 6-7, and 9-10
 - This option has the advantage of avoiding triple-testing in the heavily assessed 5th and 8th grades
 - It allows for growth calculations between some grade levels
- Option 3: Test grades 4-7 and 9-10
 - This option has the advantage of limiting assessments in the 3rd grade, addressing concerns about first time high stakes test takers being overwhelmed, while avoiding triple-testing in 8th grade
 - It allows for growth calculations across most grade levels
- Option 4: Each charter system may select from Options 1, 2, or 3 based on the unique needs of its students

- This option balances school-by-school flexibility based on their unique needs while providing the Authority with significantly more data than it has currently.

Recommendation:

Based on a desire to balance fostering a sense of partnership with the schools and supporting their autonomy while also developing a more comprehensive and stable charter school accountability system, staff recommended the adoption of Option 4.

Member Wahl asked if the schools would be locked into a certain amount of time. Director Gavin stated the Authority could go with option 2 or 3 but option 1 would be fine and staff could support that. Member Conaboy asked staff are doing this and the state is not. Director Gavin stated the pause year was 2014-2015 and there was a need for data to make important high stakes decisions for schools. Director Gavin said there hasn't been testing data since 2013 and there would be no growth data until next year. Director Gavin added that as a general matter, Charter school accountability to the same standards of public school under NCLB waived requirement to waive the normal standard. Student enrollment was 11,000 in 2011, currently 25,000 and projected to grow to around 32,000 by 2020.

Chair Johnson asked how the Authority could assure that the data would be correct if every grade was not included. Member Mackedon asked if consecutive year data was available. Director Gavin said ACT Aspire was one of 3 tests that were released that have strong alignment to common core state standards and that ACT Aspire is used by several states for assessment. Member Wahl asked if the Department of Education would still be implementing SBAC. Director Gavin said the state requested a waiver from the federal government to put a pause in place.

Member Luna asked what kind of training is necessary to make this feasible. Director Gavin said the Authority had already implemented ACT Aspire; schools received training at this time. Member Mackedon said Oasis Academy did a pilot for the testing and it's simple to administer. Chairman Johnson asked if staff could provide additional training. Director Gavin stated staff did not have fiscal or staffing capacity to give additional training. Member Wahl said the manual was very clear and easy to read and believed schools could implement the test. Chair Johnson asked what the timeline would be for implementing the first test. Director Gavin said the schools needed to work on a testing calendar starting in August 2016.

Member Mackedon motioned to approve option 4. Give the schools the ability to decide the which option they would choose. Member Luna seconded the motion. Motion to elect to do option 4 with ability to change if schools need to passed unanimously.

Agenda Item 5 - Consideration and possible action to allow Authority staff to amend the charter contracts to extend the high stakes reviews of Beacon Academy of Nevada and Nevada Virtual Academy from March 25, 2016 to the April 29, 2016 Authority meeting contingent upon amendment request from the schools' governing bodies

Member Conaboy abstained from voting on the agenda item and Member Luna said she had a friendship with Africa Sanchez but it would not interfere with the agendized item today.

Director Gavin began by stating the Authority had imposed the High Stakes Review of Beacon Academy of Nevada as part of its resolution renewing the school. Subsequently, Beacon requested an amendment to its enrollment and agreed to the postponement of the High Stakes Review to the first quarter of calendar year 2016. At Beacon's request, staff agreed to schedule the High Stakes review for the March

meeting to permit the school the maximum amount of time to assemble evidence for consideration by the Board.

In late January, Beacon Academy of Nevada inquired of staff regarding the postponement of its high stakes review from March 25, 2016 to April 29, 2016 to allow for greater participation of parents, students, staff, and board members who are otherwise out of town due to Spring Break and Good Friday. As a postponement would have scheduled the High Stakes Review to a period outside of the first quarter of 2016, staff advised that this change was not possible.

Beacon Academy of Nevada subsequently contacted the Authority Board Chair and requested additional consideration of their request. Based on consultation with staff and counsel, it was determined that if a postponement was to be offered to Beacon, the same opportunity must be afforded to Nevada Virtual Academy.

Africa Sanchez, attorney representing Beacon Academy spoke on behalf of Beacon Academy. Ms. Sanchez said the charter contract did not state anything regarding a high stakes review thus Beacon would be objecting to implementation of the high stakes review by the Authority. She said Beacon had received information from the Authority stating they were in good standing which was required in the signed charter contract. Ms. Sanchez said Beacon Academy presented three amendments to their charter contract during the July 13, 2015 SPCSA board meeting and the Friday before the meeting, SPCSA staff requested the school reaffirm the high stakes review as a condition of approval of the amendments.

Ms. Sanchez said that on February 24th she received the proposed changes to the contract and then requested a meeting with Mr. Ott on March 9th, 2016 to discuss the amendments. Ms. Sanchez said because of the lack of good-faith negotiations between the Authority and Beacon Academy, the high stakes review should be removed from the agenda for the March 25th SPCSA Board meeting and that the school return to good standing. Ms. Sanchez said the school was not unwilling to give a report regarding the data and progress they had made since their renewal, but it would not be through a high stakes review.

Director Gavin said he would like to discuss the matter with Mr. Ott. Chair Johnson preferred to postpone the item until Mr. Ott could be present. Chair Johnson proposed the Authority should not act on the item during the meeting until the Authority and staff could speak with Mr. Ott. Member Wahl asked if Authority staff had added language regarding the high stakes review during Beacon Academy's last amendment request before the Authority. Director Gavin said he would not be able to comment on that before consulting Mr. Ott. Ms. Sanchez said the high stakes review was not in the contract therefore it could not be considered an amendment to something that was not included in the contract.

Member Luna said she felt that if the matter was not cleared up by March 23, the Authority should still move forward with the high stakes review. Ms. Sanchez said she did not think the matter would be resolved before the next Authority board meeting. Chair Johnson said it would be difficult for the Authority to take action on the item at this time because more information and clarification was needed from Authority staff and Beacon Academy. Ms. Sanchez asked for guidelines regarding the timeline of the high stakes review negotiations. Chair Johnson said that March 11 would be a reasonable date because that would allow Ms. Sanchez to meet with Mr. Ott regarding the high stakes matter and they would be able to discuss next steps depending on the outcome of that meeting. Tambre Tondryk, principal of Beacon Academy, said the high stakes review has been challenging for her and her staff because of the lack of clarity regarding the process and expectations of the review. She said they were most confused about where the high stakes review fell on the Authority's intervention ladder that is explained in the SPCSA Performance Framework. Ms., Tondryk said she did not understand how

Beacon Academy was listed on the agenda as possibly receiving a notice of closure if the school had already been considered in good standing by the Authority. She said she felt the process needed to be better defined since the stakes were so high for the school and the Authority. Ms. Tondryk said she had received many calls from parents and teachers at Beacon Academy regarding the high stakes review and the possibility of the notice of closure and she said she was unable to answer any of those questions due to the lack of clarity regarding the process. She said the school would be proud to present the data the school had obtained that showed the progress they had made, but she felt the one issue that she was uncomfortable with was the graduation rate requirement which said the school shall have a 60 percent graduation rate. She said due to the students enrolled at Beacon, the graduation rate fluctuates and that was not accurately represented in the data points.

Chair Johnsons said based on the testimony of both staff and Beacon Academy; he would be recommending no action be taken on the item until more information was given. Ms. Sanchez said one of the requirements of the SPCSA's performance framework explained the Authority would provide clear and consistent communications with the school regarding high stakes decisions and that had not happened throughout the entire process Beacon and been involved in. Chair Johnson asked Director Gavin to ensure Beacon's request to meet with staff regarding the expectations of the high stakes review be held well in advance of the high stakes hearing so that all parties involved were clear as to what was expected and what would occur during the hearing. Director Gavin said he would be willing to have that meeting, but the school was providing data that was not going to be originally heard by the Authority and that he was operating under the assumption that the school would be held to the motion made during the April 2014 SPCSA board meeting. He said it was his understanding that the Authority had bound staff in 2014 to this high stakes review and he did not have the ability to override that. Chair Johnson said there was a clear disconnect regarding the high stakes review and that was why he felt no action should be taken until that disconnect was solved. He said he hoped the meeting between the school and Authority staff would provide the clarification needed to move forward. Member Wahl cautioned that if Beacon were to present data to Authority staff prior to the high stakes hearing, that it would not be considered approval by Authority staff prior to it being heard by the Authority Board. Chair Johnson said it was not his expectation that staff would approve the review prior to the hearing, but would be to clarify the expectations of staff for Beacon so they would have a chance to present the data to the Authority in a clear and defined manner.

The board took no action on Agenda Item 5.

Agenda Item 7 - Consideration of SPCSA Board and Agency duties, policies and procedures

Director Gavin said staff had been in the process of completing their policy and procedures manual at the directions of the Office of the Governor. He said staff had been provided policy and procedure documents from other state agencies by the Office of the Governor to be used and incorporated into the SPCSA's draft document. He said the travel policy was the most critical aspect of the manual because its approval would allow for the Authority to receive additional funding for the agency when asking the Office of Finance for approval of funding requests. Member McCord said he felt the manual was overly written and he felt the policy and procedures should be more precise. He said that after implementing the current proposal, staff and the Authority may be able to go back and remove redundant language. Director Gavin said staff was in agreement that the document was very detailed, but it was not out of line with what other state agencies and their boards had approved in the past. Discussion continued between the Authority and staff regarding some of the details of the policy and procedures manual.

Member Conaboy suggested some changes in the document including adding language regarding communications from charter schools during the director evaluation. She asked where language came from regarding the Authority not interfering with the duties of the Executive Director. Director Gavin said he had received the language directly from the governor's office. Discussion continued regarding how many attendees would be allowed to go on behalf of the Authority to national charter school conferences and why the number was explicitly stated. Director Gavin said the document was detailed in that manner because it would help staff when requesting approval for authority to use funds to pay for conference attendance. Member Conaboy asked what the process was for amending the policy and procedure document. Director Gavin said it was not a complex process and he would be happy to work individual members to ensure the board was comfortable with the document. Member Conaboy asked to add language regarding the statutory responsibility of the Authority and to include communications with the charter schools regarding the director evaluations. Member Wahl said she was uncomfortable with the communication language because if a charter school was upset with the director they would write poor reviews based on the actions that may be taken by the Authority in the future. Member Conaboy said she felt there would be just as many schools that would have positive reviews of the director and it would be incumbent on the Authority to discern the differences.

Member Mackedon moved for approval of the duties, policies and procedures manual with the additions from Member Conaboy. Member Luna seconded. The motion passed unanimously.

Agenda Item 8 - Consideration of SPCSA Charter School Site Visit Protocol

Director Gavin said staff recommends approval of the policy resolution identified below. Staff will continue to refine the attached Site Visit Protocol developed pursuant to the proposed policy and will forward this document to the Governor's Office of Finance and the Legislative Counsel Bureau as requested to support enhancements to the Agency budget during the current biennium and to justify additional investments of agency reserve funds during the budget building process for the upcoming biennium.

It is likely that additional refinements to this Protocol will be suggested during the upcoming business consulting engagement. Consequently, the policy also authorizes staff to make technical adjustments to this Protocol and submit those to the Governor's Office of Finance and the Legislative Counsel Bureau as the Agency deems necessary.

Member Mackedon said the site visit protocol was too cumbersome for charter schools and also thought the requirements of staff would not be possible at the current staffing levels. She said there was too much training that would need to be completed in order to fulfill the visit protocols. She said while she appreciates and looks forward to site visits currently, this would make that experience much more difficult and stressful for the schools. She said the protocol was redundant because much of the documentation that would be required of the school had already been submitted in Epicenter. Chair Johnson asked what the timeline would be for the full implementation of the protocol. Director Gavin said the 2016-2017 school year was the goal but it may have to be implemented in portions due to staffing and funding constraints.

Member Conaboy asked Director Gavin what the purpose of the site visit was. She noted that after the table of contents, it was stated the site visit is not intended to assist schools in helping them academically, the site visit report says the team leader incorporates corrections and suggestions to help improvement of the school. Member Conaboy asked if the protocol would be considered a regulation. Director Gavin said it would be a business process and would not need to be included in the regulations. Member Conaboy and Director Gavin discussed whether the proposed protocol was a regulation or a resolution. Jessica

Hoban, Administrative Service Officer, explained some of the budget request process the SPCSA is required to complete in order to shed more light on the protocol document.

Member Mackedon moved for approval of the site visit policy as written and the protocol as a draft that will continue to be worked on by staff. Member Wahl seconded. Discussion continued

Member Conaboy asked if the policy could be adopted as a resolution and the protocol policy would continue to be worked on by staff and the Authority. Discussion continued regarding whether the motion should be considered a resolution or policy.

Upon the completion of discussion, Member Mackedon restated her motion.

Member McCord left the meeting due to technical issues with the teleconference.

Member Mackedon moved for approval of the site visit policy as written and the protocol as a draft that will continue to be worked on by staff. Member Wahl seconded. The motion passed unanimously with Member Conaboy abstaining and Member McCord and Abelman absent.

Agenda Item 9 - Consideration of SPCSA Director Evaluation protocol

Member Mackedon said the Authority Board members would be receiving a copy of the rating system. After each member along with Director Gavin complete the evaluation, Chair Johnson, Member Abelman and Member Mackedon meet and bring a brief summary to the March 25, 2016 board meeting. Member Conaboy said she appreciated the effort that has gone into the project.

Director Gavin asked Chair Johnson if he would allow agenda Item 15 (Board Retreat) to be combined with the current item in interest of saving time. Chair Johnson agreed to combine the items.

Director Gavin explained what staff would need to be able to execute a successful retreat that complied with Nevada Open Meeting Law. He asked that the Authority board vote to direct staff to organize a retreat that would be held over two days.

Member Luna motioned to direct staff to organize a retreat that would be held over two days during the 2016 Fiscal year. Member Conaboy seconded. The motion passed unanimously.

Agenda Item 10 - Discussion and possible action of up to three board member attendees to the National Alliance of Public Charter School Conference

Director Gavin said consistent with past practice and the Duties, Policies, and Procedures up for consideration today, staff requests nominations for Board member attendees to the National Charter Schools Conference, sponsored by the National Alliance for Public Charter Schools.

Member Mackedon has already notified staff she is already planning to attend in her private capacity. She will not seek Agency reimbursement. This leaves two potential attendees from the Board in order to comply with the Duties, Policies, and Procedures and avoid any perception of an Open Meeting Law violation. Director Gavin said an additional consideration for this item would be to maximize the opportunity for professional development across the membership. Board members typically attend only one of the two major national conferences per year. Members who typically find that conference more informative may wish to defer participation in the National Charter School Conference.

Member directed Director Gavin to work with Authority Board members to fill 2 spots for the NAPCS conference. Member Luna seconded. The motion passed unanimously.

Agenda Item 12 - Upcoming appointments of Member Abelman, Member Luna and Member Wahl

Director Gavin said NRS 386.5095 creates the Board of the State Public Charter School Authority. Section 4 of the statute provides that board members serve in staggered two year terms. The even-year termed members are:

- Marc Abelman—appointed by the Speaker of the Assembly
- Nora Luna—appointed by the Senate Majority Leader
- Elissa Wahl—appointed by the Governor

The law provides that each member's term begins on July 1. It also provides that members serve until their successor is appointed. As many appointing authorities deal with a large number of appointments, it behooves current Board members seeking re-appointment and those who may wish to apply for membership to the Board to apply early. Director Gavin urged board members up for re-appointment to apply early.

Agenda Item 14 - Approval of Summer Application Cycle timeline

Director Gavin informed the board that the Summer Application timeline notices of intent would be due on June 1, 2016 and the application would be due on July 15, 2016.

Member Conaboy moved for approval of the Summer Application timeline. Member Mackedon seconded. The motion carried unanimously.

Agenda Item 3 - Director's Report

Director Gavin said the Authority had received 4 applications during the winter application cycle. The authority had notified NASCA about being awarded the business contract. Director Gavin said the Charter school revolving loan application was updated January 15th and was uploaded to the SPCSA website. Director Gavin said the revolving loan application is due on March 15th. Director Gavin said he was still continuing to pursue external reviewers for the winter application and amendment cycle, but he was having some difficulties due to Nevada law.

Agenda Item 17 - Public Comment

Steve Emery spoke in support of charter schools. John Hawk spoke in support of charter schools and said he hoped he could present to the Authority board regarding his recent conference in Tennessee.

Due to time constraints, the Authority members in Las Vegas were forced to adjourn the meeting at 4:34.

Member Mackedon moved for adjournment, Member Luna seconded. The vote was unanimous.

Member Conaboy and SPCSA staff in Carson City stayed so the remaining members of the public could give comment.

Steve Werlein spoke for Nevada Connections Academy and his testimony is attached. Jaime Castle spoke in support of Nevada Connections Academy and felt that the Authority's Notice of Closure agenda item

was unfair to Nevada Connections Academy Victoria Neer spoke in support of Nevada Connections Academy, her testimony is attached.

Laura Granier felt it was unfair that the SPCSA had agendized the Notices of Closures for Nevada Connections Academy, Nevada Virtual Academy and Beacon Academy incorrectly. She said by posting the notices on the agenda, it would negatively impact the school and its ability to enroll students for the next year. She said more work needed to be completed before the Authority could issue notices of closure based on graduation rate. She said the graduation rate as it is used under the current SPCSA framework is not accurate and therefore should not be considered in such high stakes decisions like the one the SPCSA agendized for this meeting. She said she hoped NCA and the other schools that were under consideration for notice of closure issuance could meet with SPCSA staff so they could better understand what the SPCSA was considering and have a chance to explain their data to staff.

Member Conaboy confirmed Ms. Granier, Mr. Werlein, Ms. Neer and Ms. Castle that their public comment would be heard by the board members who were in Las Vegas and that as soon as audio of the meeting was available, she would ensure that it was sent to the Authority board.

NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

March 9, 2016

Nevada Legislature
Room 2135
Carson City, Nevada

And

Grant Sawyer Building
Room 4400
Las Vegas, Nevada

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

In Las Vegas:

Robert McCord
Adam Johnson
Elissa Wahl
Marc Abelman
Nora Luna

In Carson City:

Kathleen Conaboy
Melissa Mackedon

BOARD MEMBERS ABSENT

AUTHORITY STAFF PRESENT:

In Las Vegas:

Patrick Gavin, Director, State Public Charter School Authority
Joan Jurgensen, Education Program Professional, State Public Charter School Authority
Nya Berry, Education Programs Professional, State Public Charter School Authority
Traci House, Business Process Analyst, State Public Charter School Authority

In Carson City:

Angela Blair, Education Program Professional, State Public Charter School Authority
Danny Peltier, Management Analyst I, State Public Charter School Authority
Tanya Osborne, Administrative Assistant, State Public Charter School Authority

LEGAL STAFF PRESENT:

In Las Vegas:

Greg Ott, Deputy Attorney General

AUDIENCE IN ATTENDANCE:**In Las Vegas:**

Attendance Sheet Attached

In Carson City:

Attendance Sheet Attached

CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA**Agenda Item #1 Public Comment**

Tony Zeppieri spoke in support of Silver State Charter School. Jake Conway spoke in support of Silver State Charter School. Will Truce spoke in support of Silver State Charter School. Jim Martineau spoke in support of Silver State Charter School. Donna Unsinn spoke in support of Silver State Charter School. Tonya Bates spoke in support of Silver State Charter School. Timothy Libby spoke in support of Silver State Charter School. George Hamilton spoke in support of Silver State Charter School. Delane Pennington spoke in support of Silver State Charter School. Kit Kotler spoke in support of Silver State Charter School. Sheri Rasmussen spoke in support of Silver State Charter School. Kirsten Meekins spoke in support of Silver State Charter School. Anthony Zeppieri spoke in support of Silver State Charter School. Carrie Henson spoke in support of Silver State Charter School. Darnell Michlig spoke in support of Silver State Charter School. Sharon Doan spoke in support of Silver State Charter School. Lisa Gardner spoke in support of Silver State Charter School. Evey Putey spoke in support of Silver State Charter School. Valerie Blake regarding all charter schools and the need for the Authority and the SPCSA staff to support them in any way they can.

Agenda Item #2

Greg Ott, Deputy Attorney General, and Director Gavin began the hearing with the Findings of Fact and Conclusion. Mr. Ott then read the Order Revoking the Charter:

On December 4, 2015, the State Public Charter School Authority (SPCSA), as sponsor of Silver State Charter School (Silver State), commenced a hearing under NRS 386.535 to determine whether the deficiencies stated in the Notice of Closure dated October 26 were corrected to the satisfaction of the sponsor within the specified time. The hearing was continued to January 4, 2016 and Silver State was given until December 10 to submit additional documentation regarding its efforts to cure the deficiencies stated in the Notice of Closure. At the December 4 and January 4 hearings, Silver State was represented by Ryan Russell of Allison Mackenzie, with Kit Kotler, Executive Director, Academics and Christina Saenz, President of the Board of Directors also present. SPCSA authority staff was represented by Executive Director Patrick Gavin. The documentary evidence received and considered by the SPCSA Board Members included the following:

1. Notice of Breach (2 Pages)
2. Forensic Audit Evidence (462 Pages)
3. Notice Of Closure (2 Pages)
4. Summary of Documents Provide by SSCS (3 Pages)
5. Response to Notice of Closure (3 Pages)
6. Additional Evidence Submitted by Silver State on 12/9 (214 Pages)

The Board heard oral testimony which was received at both the December 4 and January 4 meetings as well as public comment on the issues. Based on the totality of this evidence the Board of the State Public Charter School Authority finds and decides as follows:

FINDINGS OF FACT

1. Silver State is a Charter School sponsored by the SPCSA and has existed for 12 years. Its charter having last been renewed in 2010, will expire at the end of the 2015-16 school years.
2. On October 26, The SPCSA sent Silver State a Notice of Closure in accordance with NRS 386.535, notifying Silver State of two separate deficiencies, enumerated fully in paragraphs 1 and 2 of the Notice of Closure but in summary included "a pattern of fiscal mismanagement by current and past staff and members of this charter school's governing body and the school has failed to comply with generally accepted standards of fiscal management (NRS 386.535(1)(a)(2))." And that "the school has invested public funds in a high risk financial instrument, namely a derivatives contract, with Bank of America."
3. The SPCSA notified Silver State that the deficiencies must be cured by November 27, 2015.
4. The SPCSA Board commenced a public hearing to consider whether to terminate the charter contract on December 4, 2015.
5. The public hearing to consider whether to terminate the charter contract was continued by the SPCSA Board to January 4, 2016 and the parties were given additional time (until December 10) to submit documentary evidence to the SPCSA Board.
6. The public hearing concluded on January 4, 2016.
7. Silver State Charter School took several curative measures in response to the Notice of Closure's deficiency number 1, "a pattern of fiscal mismanagement by current and past staff and members of this charter school's governing body and the school has failed to comply with generally accepted standards of fiscal management (NRS 386.535(1)(a)(2))" including severing its relationship with Kellie Grahmann, and taking efforts to have an independent accounting firm, Casey Neilon, to reconcile bank statements and prepare monthly financial reports, but the terms and scope of any relationship were not clearly defined as no executed contract was entered into evidence.
8. Silver State Charter School also contacted Cheryl Miller with regard to her acting as bookkeeper until the accounting firm began work, but the terms and scope of any relationship were not defined as no contract was entered into evidence.
9. Though the Board was in the process of undergoing several changes, no changes to the Board were offered as curative measures in response to deficiency number 1.
10. Silver State Charter School engaged in discussions with Bank of America in response to the Notice of Closure's deficiency number 2, "the school has invested public funds in a high risk financial instrument, namely a derivatives contract, with Bank of America" but did not close the contract in question prior to November 27, 2015.

Conclusions of Law

Based upon the foregoing Findings of Fact, the State Public Charter School Authority Board makes the following Conclusions of Law.

1. Pursuant to NRS 386.535, the sponsor of a charter school may terminate the charter contract before the expiration of the charter if the sponsor determines that the school failed to comply with generally accepted standards of fiscal management or failed to comply with any statute or regulation applicable to charter schools after providing written notice of its intention to the governing body of the charter school.

2. Silver State's governing board was provided notice of the SPCSA's governing board's intent by the October 26 Notice of Closure, which gave the school until November 27 to cure the deficiencies contained in the Notice of Closure.
3. Silver State's efforts to cure the pattern of fiscal mismanagement by current and past staff and members of Silver State's governing body and the school's failure to comply with generally accepted standards of fiscal management did not correct the deficiencies to the satisfaction of the SPCSA Board.
4. Silver State did not to cure the deficiency created by its investment of public funds in a high risk financial instrument, with Bank of America, within the time prescribed in the Notice of Closure to the satisfaction of the SPCSA Board.
5. Silver State, having failed to cure the deficiencies stated in the October 26 Notice of Closure may have its charter terminated by its sponsor in accordance with NRS 386.535.

Order

Based upon the foregoing Findings of Fact, Conclusions of Law and the record herein, IT IS HEREBY ORDERED THAT the charter of Silver State Charter School is terminated at the end of the 2015-16 academic year pursuant to NRS 386.535. Staff of the SPCSA are directed to work with and assist the Silver State Board and staff to assist in the closure of the school in accordance with Nevada law. SPCSA Staff are further directed to submit a written report to the Department and the Silver State governing body as soon as practicable, but in no event later than 10 days of the termination of the charter contract.

Attorney Carrie Parker and Bill Peterson had been retained by Silver State to appeal the closure. Attorney Parker stated the procedures were unlawful and SSCS intended to appeal. Ms. Parker said the due process was insufficient and the order revoking the charter was not clear. She said according to the October 2015 minutes Chair Johnson noted the notice may be unclear and asked SSCS if it understood what needed to be done to cure the deficiencies. Director Gavin said the findings were in the audit that was conducted earlier in the year. Ms. Parker said Director Gavin frequently used the term "we" and "our council" during his testimony. Ms. Parker said there was not a clear distinction in the testimony between the party and the decision maker. She noted NRS 233B prohibited this and that there needed to a clear distinction which did not occur. She said the decision was arbitrary and capricious and the school had substantially complied with the measures to cure the deficiencies. She said the school did as much as they could; new protocols were created, the prior financial manager resigned and the school worked to the best of its ability within the 30 day time window that was given to cure all deficiencies. Ms., Parker said the Authority did not consider the 30 days which included four legal holidays as well as eight weekend days. Ms. Parker said based on this, the school was left with only 19 working days to comply with the measures to cure the deficiencies. Ms. Parker said the order had blurred the lines between not renewing the charter school and revoking the charter. She said the school was told that they didn't have a charter contract and thus needed to apply to the Authority for a charter contract. She said the Authority did not follow the Administrative Procedures act with regard to applying for the charter contract. She said it seemed the Authority had set up the school to fail and it never considered it would be able to cure the matter. She said based upon that, they would request the Authority to reverse all of the decisions made regarding the closure and allow SSCS a fair time to fix the matters identified in the cure order.

Mr. Ott clarified that his role was during the proceeding was council to the Authority board and SPCSA staff had been assigned different legal representation, Shane Chesney, from the Attorney General's office and he apologized for not making that clear for the record.

Ryan Russel, attorney for SSCS, noted that they had provided sworn testimony during the hearing which the Authority did not object to. He said the due process rights had been violated toward the end of the

hearing on January 4, 2016 when Director Gavin supplied various accounts of deficiencies of SSCS which he was denied to address during the hearing. He Said Ms. Parker noted that the entire process was completely, and fundamentally, flawed. Mr. Ott asked Mr. Russell if there was other evidence and testimony that the school would like to enter into the record if they felt they had been denied. Mr. Russell said since the matter was now being considered for judicial review and that evidence was not allowed at the January 4 meeting, they would decline to enter additional evidence and testimony regarding that meeting during the hearing today. He also noted the school had submitted substantial evidence within the given timeline and it was not given proper consideration at the January 4 meeting.

Member Conaboy asked Mr. Russell about what substantial compliance meant. Mr. Russell said substantial compliance is a term of art used under any contractual interpretation or statutory compliance. The example he used was the closure of the derivatives account which the bank required additional documentation. He noted the school had taken substantial action to close the account within the given timeframe and the banks timeline their control, thus showing substantial compliance.

Chair Johnson then asked for Authority deliberation regarding the documents submitted by SPCSA staff and representatives of SSCS. Member Conaboy asked Mr. Ott to comment on the use of charter contract in the Order to Revoke which SSCS had objected to. Mr. Ott said it was a reasonable objection and the Authority could consider changing the term to written charter which would make the document clearer. Member Conaboy asked if it was necessary to consider the findings and fact of law since SSCS was going to appeal this decision. Mr. Ott said the Authority was not required to, but the findings at the January 4 meeting made the Authority's intentions clear and it would not be problematic to still consider the order at the current hearing. Mr. Russell also noted the Authority was required to consider the decision which would then allow for SSCS to pursue judicial review. Mr. Russell contended that the makeup of the board should not have been contained in the findings of fact because it was not listed in the deficiencies that needed to be cured. Chair Johnson asked Mr. Russell if during the meeting on January 4 they wanted to note that the makeup of the board should not be considered for the findings of fact. Mr. Russell said that was correct and they noted at the hearing that the audit had identified two individuals which the school had terminated. He said the governance of the school was listed in the audit which they felt should be explained at the hearing, but it should not be considered in the findings of fact, because it was not a deficiency that was required to be cured at the January 4 meeting.

Member Conaboy asked Mr. Ott if there was any legal authority for the Authority Board to consider Dr. Kotler's request for a one year probationary period. Mr. Ott said he could not find anything in statute that would allow for a one year probationary renewal and thus did not think it would be considered legal under NRS. Discussion continued regarding the curative measures and whether they should have been included in the Findings of Fact.

The Authority and representatives of SSCS discussed the possibility of working on a renewal document that would have stipulations included if the renewal was approved the Authority. Member Conaboy asked if SSCS had submitted a renewal application. Director Gavin said the school had submitted a renewal application and staff would be working with the school on their application. Chair Johnson asked if there was an alternative to considering the revocation until more information was provided. Mr. Ott said the Authority could amend the Order and change the directive from revocation to something different in the Authority chose to. Mr. Russell said that would be agreeable for the school and said the action today could be that the revocation matter be addressed later and the Authority could direct SPCSA staff to work SSCS regarding the renewal document and the provisions contained within. Mr. Russell added that SSCS was in no way directing the board on their decision, but if it did consider alternative options then SSCS would request a vote that would allow for both parties to discuss a different path.

Chair Johnson called for a 10 minute recess. The meeting recessed at 10:29 am.

The meeting reconvened at 10:40 am

After councils of both the Authority and SSCS spoke, Mr. Ott said then school would be willing to work with SPCSA staff and councils of both schools would work together to come to an agreed upon provision regarding the renewal of the school with a one year probationary provision. Mr. Russell added the school would respectfully request a motion with direction to its legal counsel to consult with SSCS council regarding the agreed upon terms of the renewal. The Authority, SPCSA staff and counsel for SSCS continued discussion regarding the legality and timeline of a motion that would direct the two parties to meet regarding the renewal of the school and provisions contained therein.

Member Conaboy asked about the differences in consideration of the Findings of Fact and the renewal decisions and the differences in the scope of each. She said she felt before the attorneys would begin settlement dialogue it should be clear what the settlement terms would be and how that would affect the Findings of Fact and Order that was before the board today. Member McCord agreed that the decisions of the renewal should not be combined with the decisions before the board today. Mr. Russell said there was a global resolution that may be agreed upon that would consolidate the renewal decision along with the Findings of Fact that may be settled upon which would allow for both matters to be addressed simultaneously. He said if the school and the Authority could come to an agreement regarding the renewal with provisions, those provisions could be negotiated between both parties. However, if the Notice of Closure were the only stipulation to be considered, it would only allow for the Authority to consider the items listed in the Notice of Closure. He said it would be best for the Authority to have a litigation meeting so that it may provide the parameters of settlement to Mr. Ott before he would enter into any negotiations with the school regarding settlement. Otherwise, the Authority may agree to the renewal with conditions and then deny the renewal application. Mr. Russell said this is why there would be the need for a global resolution that would take all matters into consideration, because if that was not going to be the case the school would still wish to pursue judicial review.

Member Mackedon suggested if procedurally the Authority had made missteps then maybe the Authority should just move onto the renewal so that there were not conflicting paths that may be in conflict with one another. Mr. Ott noted that objections had been raised by the attorney's representing SSCS and although those objections had been raised, it may not be considered illegal under a judicial review. Chair Johnson asked Mr. Ott what options he had discussed with the school during the recess. Mr. Ott said he thought he heard the Authority's interest in pursuing the renewal with a one year probationary period. Counsel of the school expressed that the renewal would have to be approved as a condition of the agreement between the Authority and the school. Mr. Ott said he had envisioned a directive from the Authority to direct him to negotiate a probationary period if the renewal was approved and not including the renewal approval as a condition of the original agreement. He said he had discussed that idea with counsel for the school so he was not sure if the school would agree to that settlement. Mr. Russell said that he, like Mr. Ott, did not have the power to compel his board to an agreement, and said he did not think he was taking a position one way or the other regarding the details of a settlement. He said his point was that SSCS was open to any and all options that would allow the school to continue to work with SPCSA staff and remain open to allow it to show the Authority of the improvements it had made.

Chair Johnson said he would like the Authority to consider what action it was going to take for the agendized item. He said the options the Authority would need to consider would be to either accept the Order as agendized or direct Mr. Ott to enter into negotiations with counsel of SSCS to negotiate the

terms of a settlement regarding both the Order and renewal decisions. Member Conaboy asked if the SSCS board was able to enter into negotiations for SSCS because the makeup of the board had been in questions. Kit Kotler, administrator of SSCS, confirmed the board would be able to enter into discussions.

Member Luna left the meeting at 11:02 am.

Member Conaboy moved that the Authority continue with today's action and direct Deputy Attorney General Greg Ott to pursue negotiations with the Silver State Charter School board to reach a stipulated agreement or revised order. Member McCord seconded. Chair Johnson called for a roll call vote:

- **Member McCord – Aye**
- **Member Conaboy – Aye**
- **Member Abelman – Aye**
- **Member Wahl – Aye**
- **Chair Johnson – Aye**
- **Member Mackedon – Nay**
- **Member Luna – Absent**

The motion carried 5 – 1.

Mr. Ott added that it would be necessary for him to have a call with the Authority Board members during a non-meeting to discuss the terms that had been offered by the school.

Member McCord asked that a special point be made that the Authority Board had made a decision in good faith based on a recommendation from Silver State's counsel and that he hoped the school would move forward in good faith with its negotiations with Mr. Ott and subsequent hearings before the Authority based upon those discussion. He said he hoped this matter was resolved sooner rather than later.

Member Abelman said he felt this Authority stands for high performing charter schools and that the decisions it makes be based upon ensuring that high quality charter schools operate in Nevada and provide the pupils of Nevada with quality educational options and not make decisions based on threatened litigation.

Member Mackedon said that seems to be misunderstanding regarding the role of the State Public Charter School Authority. She said the role of the Authority was not to educate the children and assist the schools in doing a better job. She said the role of the Authority was to authorize high quality charter schools and sound fiscal management.

Chair Johnson said he felt that the Authority is all for pupils in Nevada receiving quality education. However, the adults in charge need to be held accountable if the delivery of that education is not of high quality.

Agenda Item 3 –Public Comment

Ben Salkowe was unable to deliver his public comment but submitted into writing testimony from him and Equipo's board chair which would be distributed to the Authority Board Members.

Member Abelman moved for adjournment. Member Conaboy seconded. The motion passed unanimously

The meeting adjourned at 11:18 am

NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

March 25, 2016

Legislative Council Bureau
2135
Carson City, Nevada

And

Grant Sawyer
4400
Las Vegas, Nevada

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

In Las Vegas:

Adam Johnson
Elissa Wahl
Nora Luna
Melissa Mackedon
Kathleen Conaboy
Robert McCord

In Carson City:

None

Teleconference:

Marc Abelman

BOARD MEMBERS ABSENT

AUTHORITY STAFF PRESENT:

In Las Vegas:

Patrick Gavin, Director, State Public Charter School Authority
Joan Jurgensen, Education Program Professional, State Public Charter School Authority
Nya Berry, Education Programs Professional, State Public Charter School Authority
Traci House, Business Process Analyst, State Public Charter School Authority

In Carson City:

Jessica Hoban, Administrative Services Officer 2

Angela Blair, Education Program Professional, State Public Charter School Authority

Kathy Robson, Education Program Professional, State Public Charter School Authority

Danny Peltier, Management Analyst, State Public Charter School Authority

Tanya Osborne, Administrative Assistant III, State Public Charter School Authority

LEGAL STAFF PRESENT:**In Las Vegas:**

Mr. Ott, Deputy Attorney General

Ed McGaw, Deputy Attorney General

AUDIENCE IN ATTENDANCE:**In Las Vegas:**

Attendance Sheet Attached

In Carson City:

Attendance Sheet Attached

CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA

Member McCord moved for a flexible agenda. Member Conaboy seconded. The motion carried unanimously.

Agenda Item 1 – Public Comment #1

Chair Johnson wants to remind the public of the three minutes rule for discussion.

In the South, Cara Hendricks spoke in support of Nevada Virtual Academy regarding items #5 and #6. Did not feel the high stakes review should happen. She said #6 should not happen because there was not enough notice given. Melissa Bartshe spoke in support of Nevada Virtual Academy. LeeAnn Taylor spoke in support of Nevada Virtual Academy. Lori York spoke in support of Nevada Virtual Academy. Deanna Davis spoke in support of Nevada Virtual Academy. Kaitlyn May spoke in support of Nevada Virtual Academy. Cristabel Guthrie spoke in support of Nevada Virtual Academy. Karen Guthrie spoke in support of Nevada Virtual Academy. Terrasa Robinson spoke in support of Nevada Virtual Academy. Lisa Racine spoke in support of Nevada Virtual Academy. William Morris spoke in support of Nevada Virtual Academy. Samantha Morris spoke in support of Nevada Virtual Academy. Glenn T. Raitt spoke in support of Nevada Virtual Academy. Kimberly King and her daughter spoke in support of Nevada Connections Academy. Rhiannon Bree spoke in support of Nevada Virtual Academy. Kim Fortune spoke in support of Nevada Virtual Academy. Stacy Devoid spoke in support of Nevada Virtual Academy. Mr. Werlein Werlein spoke in support of item #6 for Nevada Connections Academy. Tessa Rivera spoke in support of Nevada Connections Academy. Edward Bevilala spoke in support of all charter schools. Laura Granier spoke in support of Nevada Connections Academy, item #6. Kara Hendricks spoke in support of Nevada Virtual Academy. Kimberly King spoke in support of her two

daughters for Nevada Connections Academy. Leslie Caldwell spoke in support of Nevada Virtual Connections Academy. Debbie Joseph spoke in support of Nevada Virtual Academy. Sonya Rish spoke in support of all charter schools and how important they are. Hesikya Cogman spoke in support of all charter schools. Chrystal Thompson spoke in support of Nevada Virtual Academy. Tina Zavalza spoke in support of Nevada Virtual Academy. Jennifer Tenney spoke in support of Nevada Connections Academy. Dawn Atkerson spoke in support of Nevada Virtual Academy. Kay Comstock spoke in support of Nevada Virtual Academy. Carrie Anne Harrington spoke in support of Nevada Virtual Academy. Kevin Rodela spoke in support of Nevada Virtual Academy. Elicia Montgomery spoke in support of Nevada Virtual Academy. Jessica Dethmers spoke in support of Nevada Connections. Jordan Torres spoke in support of Nevada Connections. Ruben Murilo spoke in support of Silver State Charter School. Jessica Rivera spoke in support of Nevada Connections Academy. Marnie Pariser spoke in support of Nevada Virtual Academy. Kelly Gaez spoke in support of Nevada Virtual Academy. Anne Schwartz spoke in support of Nevada Virtual Academy. Jonathan Henboy spoke in support of all charter schools. Ben Childs spoke in support of Nevada Virtual Academy. Catherine spoke in support of Nevada Virtual Academy. Naomi Nevers spoke in Support of Nevada Virtual Academy. Vinica Sulezich spoke in support of Nevada Virtual Academy. John Vettle spoke in support of Nevada Virtual Academy. Alicia Crowe spoke in support of Nevada Virtual Academy. Jeffery E. Sanchez spoke in support of Nevada Connections Academy. Mindi Dagerman spoke in support of Nevada Connections Academy. Gerald Schuler spoke in support of Nevada Virtual Academy. Linda Lord spoke in support of Nevada Virtual Academy. Deborah Gehr spoke in support of Silver State Charter School. Marissa Delgado, NCA Board Member for Nevada Connections spoke in behalf of the school to stay open. Board member Tessa Rivera for Nevada Connections Academy spoke in support of Nevada Connections.

Member Wahl said that the parents are not homeschooling the students. While they are learning from a home environment, homeschooling is a separate law and something she lobbied for to keep separate. She said thank you for coming to talk and please stay involved.

Agenda Item 4 - Consideration of Settlement of Appeal of Closure of Silver State Charter School

Mr. Ott, Deputy Attorney General is representing SPCSA staff; Ed McGaw is the representing attorney for the board. Mr. Ott said there was a notice of closure for Silver State Charter School, then there was a cure period as required by statute and then a hearing, Findings and Fact of conclusions of law, then a settlement was discussed then on March 9th. There was contentious framework for a settlement that reflected the will that the board directed us to previously. The council for Silver State conditionally approved the settlement. Mr. Ott said an agreement by the board to reconstitute to make the school a higher performing school. The framework states a receiver would come in to take over the school. The SSCS board would be disbanded and the receiver would act as the sole governor of the school, the receiver has the ability to review the staff and administrator in order to see what is working and not working. The settlement proposal by the receiver would need to meet a two year time frame so the receiver can find success for the school.

Council for Silver State Chart School offered language that said the school would like clean financial records in the settlement going forward. The other change would be a reported targeted graduation rate to go up from 25% to 30% up to 60% in a 3 year period. The SPCSA recommended the new target rate of 50% graduation rate after 2 years and 60% after 3 years. Mr. Russell thought this was too aggressive and that it would set the school up for failure. The SSCS board approved a target graduation rate of 35% after two years and 45% over three years. The SPCSA's proposed agreement didn't allow the receiver the freedom for an application to the alternative framework. The three options would be denial of the

settlement agreement and continue with the Notice of Closure, 2nd would be to approve the settlement as approved by the Silver State board and agenda item #6 would be removed with no further action or the 3rd option would be a conditional approval with agreed changes. The board can agree with the principles of the settlement, if the board chose option 3 and offer language for consideration by the SSCS board.

The Authority and SSCS discussed paragraph 7 in the settlement agreement where it explained that the receiver will replace the governing body and assume all governing board duties. The graduation rates were also discussed and SSCS said it will take time but the school and board wants to get the graduation rates higher. Mr. Russell added that if either the agreement is approved outright, or approved with conditions, they would like consideration to go forward.

Chair Johnson asked if the board has any questions.

Member Conaboy asked about paragraph 7 which stated all current contracts, etcetera, and what etcetera meant? Mr. Ott said etcetera was meant as included but not limited to the contracts listed. Member Conaboy if SB509 states does this mean a top down evaluation. The receiver could be looking at employment agreements. Mr. Ott said yes with the employment agreement, they have different safeguards. Mr. Russell said SB509 states if the board is reconstituted it has an immediate effect of allowing a top down evaluation. The school will have notice of employment. The receiver will have a different ability to act as the governing body. Member Conaboy suggested to Greg Ott 5A and 5B be a satisfactory rating in 5B3 if it has a rating in the framework. Greg Ott said the intent is to have a 3 star rating or alternative framework.

Director Gavin said the alternative framework is required to be created by the state board of education through SB460 and the the school may qualify for the alternative framework when it has been developed. Member Conaboy wants to make sure it's a valid agreement. Direct Gavin said the framework is mandated in the statute the rating is not. The draft language does not contemplate a rating. Member Conaboy said she would like the agreement to say whether it would be an "and or and or" if the school was considered for the alternative framework as it does or does not exist so the contract is not voided. Member Mackedon asks about alternative framework and whether to requires the sponsor or district to recommend the school be in the alternative framework. Greg Ott said there is no obligation for the school on alternative framework. The authority can hold them accountable and add language later. Member Luna would like to include the definition of the dropout rate in the settlement. Mr. Russell said the alternative framework gives flexibility to Silver State School.

Member Wahl said she is not satisfied with the 35% and 45% graduation rate; she does not want to agree to that. Chair Johnson said the benchmarks are still below what he thinks is acceptable. Mr. Russell said the goal is continued improvement. The receiver has until 2019 to increase the graduation rate. He said the school would show growth once the board has been dissolved and the receiver is in place.

Member Mackedon asked if Silver State took into consideration the cut scores on the end of course exams when the graduation rate was decided. Christina Saenz, Board President, said that was not taken into consideration at the time of discussion. She said the SSCS board wants to be realistic about the graduation rate and allow for the time needed to show the growth of the school. Member Conaboy asked Director Gavin when Connections Board Members were talking today, does the Authority want the calculations percentage to be considered in the target rate. Director Gavin said its federal legislation that requires certain things to get the funds and NCLB and NCLA and to be eligible for Title I funds. Greg Ott said graduation rate will change with calculations. Member Mackedon talked about if the students aren't there 50% of the year the bar should be set higher not lower, the students do not have to pass a

proficiency test and she can't support the graduation rate of 35% and 45% under the conditions as they are right now. Director Gavin was not at the settlement discussion but would like to thanks the Silver State Board for wanting to make the school better and to make changes. Director Gavin would like discussions to continue to agree on a rate for everyone. Chair Johnson said we have to figure out how we can have more discussion to get to a better graduation rate.

Mr. Russell said if the issue is not with the agreement but with the graduation numbers everyone would love to see all students graduate but not all kids graduate in any schools. Silver State is setting a goal for continued improvement. He would like the motion to be approved to do a petition for a receiver. Member Conaboy wants to know if any dates need to be changed. Mr .Ott said he would like to include the 2017 -2018 or 2018-2019 graduating class. Director Gavin asked the board if it wanted to consider the cohort as opposed to the rate. If so, then that would alter the years that would be considered because the cohort data always lags behind the current school year. Director Gavin said he was concerned for the sake of the school, that since some of the metrics were lagging, it may prevent the board from reconstituting because they would be unsure what the cohort data would be until after the beginning of the next school year. He said he recommended there be discussion regarding the cohorts to consider as giving the school the best opportunity to show the graduation turnaround the Authority was asking for. He said he felt it would be unfair to the school to reconstitute the board during the school year because the stakes would be high and may interfere with the educational product it was delivering to its students. Mr. Russell said the receivership is designed to dissolve when the board is reconstituted and SSCS could ask for an extension of the deadline to reconstitute until data and school years aligned. Mr. Russell said until that, the receiver should stay in place until the board has been approved to reconstitute.

Member Conaboy moved for the Authority to adopt the settlement framework with modifications including the graduation rate in 5 A to 45% in 5B to 60% and the further the requirement that graduate is calculated by the NDE. Attorney General Greg Ott wants to add 5B the alternating framework. Chair Johnson called for a roll call vote.

- **Member McCord - Aye**
- **Member Conaboy - Aye**
- **Member Abelman – Aye**
- **Member Wahl - Aye**
- **Chair Johnson – Aye**
- **Member Mackedon -Aye**
- **Member Luna – Aye**

The motion carried 7-0

Mr. Russell would like #6 pulled from discussion today and not considered since council and Authority is working on this together. Director Gavin would like the board to remove #6 on the agenda Notice of Closure.

Chair Johnson moved for the board to remove item #6 from the agenda, Member Mackedon seconded. The motion passed unanimously.

At 12:43 Chair Johnson asked for a lunch break.

The meeting reconvened at 1:38 pm

Agenda Item 6 - Consideration and possible action to direct Authority staff to issue Notices of Closure pursuant to NRS 386.535

Laura Granier and Mr. Werlein Werlein Principal spoke on behalf of Nevada Connections Academy. Chair Johnson said the board received a continuance item regarding item #6. Director Gavin said this was a previous continuance for Nevada Virtual Academy and also to Nevada Connections Academy. He would like to have more conversations with the schools that are on the agenda and work on making sure kids are getting what they need. Laura Granier would like to have the conversation with the Authority and wants to have a meaningful dialog as a Board.

Mr. Werlein Werlein showed slides to the authority regarding the educational success NCA had achieved during the course of its charter. Ms. Granier added, the school was requesting that before the Authority places an item regarding its intent to issue a Notice of Closure, the schools be allowed to meet with Authority staff to present the data, before having it become public in an open meeting setting. Mr. Werlein Werlein said their school has a high mobile population in 2013 -2014. 59% of students were new to the school, 68% enroll after 9th grade. Within the 2015 graduating class, NCA found the 90% of the student population was on track to graduate; 10% were off track to graduate. 60% of students enrolled only enrolled for one year or less. Member McCord said it would be useful for the school to include the N number and the range when presenting the graduation rates so observers of the data would be able to better understand the central tendency of the data and provide a full picture of the students who may come to the school as credit deficient. Director Gavin said it may be useful for the school to breakout the number of students who were credit deficient by amount of credits missing as to better understand how far behind each student was as opposed to lumping them all in the same group. Chair Conaboy added she felt Director Gavin's request of the school confirmed Ms. Granier's earlier point that these discussions take place prior to a public meeting so both sides would be able to determine what data would be considered.

Laura Granier said the school would like to be notified if it's on the agenda in the future and for it not to be a surprise and she also asked how the Authority can rely on one set of data validated by NDE when the authority is saying the school is not valid with their data.

Director Gavin said the Authority is not aware of a report from NDE or analysis with this information. Ms. Granier said the school has used the information validated by NDE and that is what Mr. Werlein is using today. Mr. Werlein said the school uses Big Horn for the cohort. Director Gavin asked if there is a validation by the NDE stating this information is out there. Mr. Werlein said he is not familiar with that kind of report but not opposed to 3rd party validation. Mr. Werlein said when students enter in 9th grade they had a 79% rate of graduating on time and that 77% of full year academic 12th graders graduated in 2015. He said the current state accountability frameworks are poor barometers of virtual school performance. Virtual schools should be held accountable for their actual performance rather than for the performance of the school from which their students came. Ms. Granier wants to present good information as long as the council has fair notice. The 4 year cohort graduation rate is not a comparison of how other schools perform. The Authority is legally obligated to make the right decision on closing this school. A student who came to the school 14 days before graduation should be taken into consideration for the cohort graduation rate. The Authority was given discretion by the Legislature, the LCB considered this and put language in the Bill. The board and authority needs to make judicious and thoughtful decisions for the school and make compelling evidence. Mr. Werlein said the school looked at 2015 data for the graduating class, the cohort rate was 36%, ESSA 44%.

Chair Johnson asked if there are any questions. Member McCord commented that when a school works with challenging populations it can be challenging but he said an advocate of no child left behind and said the school needs to work on the graduation rate because it was in the best interest of the pupils.

Mr. Werlein said NCA had implemented mentoring and some other initiatives to help increase the graduation rate. Member Conaboy asked Deputy Attorney General McGaw if she were permitted to comment on NCA because of her representation of K-12 Inc. Mr. McGaw said that was fine as long as it's related to this school only. Member Wahl asked when if NCA only addressed the graduation issues because they received the Notice of Closure or when prior when they saw the rate was low. Mr. Werlein said they have been making changes before the Notice of Closure. Member Mackedon asked Director Gavin if the performance framework calls for a comparison of schools. Director Gavin said the standard performance framework does not have that comparison and that there is no student growth comparison. Mr. Werlein said NCA looks closely at where the student is when they enroll in the school. Ms. Granier said NCA had been looking to improve prior to the implantation of SB509.

Director Gavin asked Mr. Ott if there is currently regulation regarding whether or not a sponsor is to conduct the process of revocation or terminating a contract. Referring to NAC 386.330, Mr. Ott said yes there is a regulation regarding the question from Director Gavin. Director Gavin said this is the process we are having right now is having a hearing R035-14A section 44 says NAC 386.535. The Authority is following the rules at this time. Member Wahl said two Attorneys' earlier agreed that the graduation rate is confirmed by NDE. What were Nevada Connections graduation rates in years 2012, 2013, 2014. Ms. Granier said it would not be based on a single 4 year cohort graduation calculated. Director Gavin read from his notes of the testimony he gave regarding SB509 before the Assembly Committee on Education during the 2015 Legislative session. He said there was voluminous public comment and Ms. Granier was one of the participants who testified in neutrality to SB509 as appeared before the committee. He said Ms. Granier testified that the graduation rate was not reliable because it did not consider credit deficiency in the rating. Director Gavin then read his testimony from that hearing: "I want to thank this body for your indulgence in this conversation. I appreciate the thoughtful questions and feedback. We think this is a really strong bill. I want to emphasize that Senate Bill 460 deals with the question of how to hold a school that is serving a large alternative population accountable. We have taken pains in working with sponsor of that bill, Senator Harris, Chair of the Senate Committee on Education, to ensure that these elements are aligned. To the degree that we did have a school that was serving an alternative population, they would not be subject to an arbitrary catch-22 situation. We do not want to do that; we want to make sure that we are making thoughtful and judicious decisions. To that end, we have also endeavored to make sure that anything above that "three strikes and you are out" level is discretionary on the part of the Authority or sponsor board so that we can take into account those kinds of nuances. I would submit, however, that in cases where a school has a 27 or a 37 percent graduation rate and is not classified as an alternative school, that is the kind of thing I think we would all agree is not acceptable and that we need to ensure that we are looking very carefully at why that is and if there is some kind of compelling explanation, certainly taking that into account, but also holding any school that is at that level accountable."

Member Wahl asks Mr. McGaw if she can find this compelling evidence. Mr. McGaw said yes, you can say its compelling evidence. Ms. Granier said she would like her board president speak she has called in. Ms. Sanchez she is very concerned about what the Authority has said about the Notice of Closure. She said there has not been an opportunity to discuss all the problems that the Authority has with the schools regarding the data and graduation rates. Ms. Granier said a statue must not be applied retrospectively unless such intent is clearly manifested by the Legislature as determent by the Nevada Supreme Court. She said NCA has been open for 9 years and have complied with legal requirements and have actively participated in meeting the accountability standards set by the state. She also noted there was no notice for the 60 day notice of closure and the Authority did not give a trigger for the 60% graduation rate. She said upon the completion of the last meeting between the Authority and NCA, the school was left with the understanding that it was in good standing. She would like the board and the

Authority to give the school some time to improve on the graduation rate and compromise to come up with a reasonable amount of time in order to not receive a notice of closure.

Member Wahl contended the school's use of retroactive because all data is retroactive. Mr. Ott noted Ms. Granier believes the graduation rate is not clear and Ms. Granier agreed with the observation. Mr. Ott spoke about the testimony from the Legislature and how was that implemented. Ms. Granier said that the government offices usually make those decisions. Mr. Ott asked if the notice of closure is a contestant case and requires under NRS 233b.032 and administrative penalty. This is a hearing regarding these issues then there would be a hearing after the cure period. Ms. Granier said the school wants the right to have better conversations about when there could be a notice of closure. Chair Johnson asks if there are any other questions. Member Conaboy said if my Mother was here it would be just good manners to pick up the phone and talk with someone about the problems in there school and the Authority should give the schools prior notice before effecting the live of over 6000 kids and family. She said it's just common sense to give schools prior notice. Most of this conversation could have happened before today. Member Conaboy said she would abstain on all four votes for this agenda item. The Authority discussed continuing the agenda item at another meeting. Member Conaboy asked what the benefit of a continuation would be since council will come back with the exact same information as was heard today. Mr. McGaw said if there is substantial evidence the Authority could move forward with issuance of the notice of intent of closure. Member Conaboy said the Authority doesn't have rules in place yet and is in the process getting the regulation approved.

Member Wahl said the Authority does have laws and contracts in place and that it needs to do right by the students and the parents since the graduation rate was below what was considered acceptable. Chair Johnson said we do need to have a closure of how we are going to move forward, will we be doing the notice of closure or get our regulations in order. Motion would be move no on notice of closure or direct staff to move for a continuance. Laura said she understands what Member Wahl is saying and council wants to work with staff and reach a reasonable end. Chair Johnson asked for motions to move forward for Nevada Connections.

Member Wahl motioned to continue the item for Notice of Closure for Nevada Connections.
Member Ableman seconded the motion. Chair Johnson called for a roll call vote:

Member McCord – Nay

Member Conaboy – Abstaining in protest to this process

Member Macdedon – Aye

Member Luna – Nay

Member Ableman – Aye

Member Wahl – Aye

Chair Johnson – Nay

The vote was tied

Chair Johnson asked there was a different motion that could be considered

Member Conaboy asked Member Wahl what she will accomplish with the continuation. Member Wahl said not to put a note on the record to give permission for this low graduation rate. Member Conaboy asked what should be said to parents who were waiting for action before enrolling their children for the upcoming school year. Member Wahl said NCA should say that they are sorry for their poor performance. Chair Johnson asked if there was a different motion that could be offered. Member asked if there was no

action, would that agenda item die. Mr. Ott said without a motion the item would be dead, but the Authority did have the option to remove the item from the agenda. Member McCord said he felt it would be best to remove the item from the agenda.

Chair Johnson said the Authority would remove this from the agenda. Direct Gavin asked if it was the Authority's intent to take no action on only NCA or all Notices of Closure listed on the agenda. Member Conaboy asked if she could vote on items individually or does she have to abstain from the whole agenda item since she was a representative of K-12 Inc. Mr. McGaw stated that she should abstain from the entire agenda item. Member Mackedon felt like this conversation would continue more times and would like to make a motion to postpone the entire agenda item #6. Patrick said it would be difficult for the April agenda. He said May would be more appropriate timeline. It does come with more uncertainty for the parents. Member McCord would like the Authority to not have this on the agenda again and recommended pulling the item with no date forward and continue discussions with all parties. Chair Johnson asked if Member McCord felt it should be pulled for all four schools. Member McCord said he felt all four should be pulled from the agenda.

Member McCord moved to pull the item all four schools in question, Member Mackedon seconded. Chair Johnson calls for a vote to pull from agenda:

- **Member McCord – Aye**
- **Member Conaboy – Abstain**
- **Member Mackedon – Aye**
- **Member Wahl – Nay**
- **Member Luna – Aye**
- **Member Ableman – Absent**
- **Member Johnson - Aye**

Vote: 4 Aye, 1 Nay, 1 abstention, Member Abelman was absent

Agenda Item 3 - Consideration of Beacon Academy's July 13, 2015 amendment request pursuant to NAC 386.325

Mr. Ott noted this item was recommended by Beacon Academy. They were the board affirm the high stakes review for Beacon. We would like SB509 to align to the charter contract. In reviewing the minutes the board had a disagreement about the discussion on the high stakes review and the review was subsequently incorporated. Beacon stated they did not have a high stake review in the past. They did not except the terms because it was not in the contract. Authority staff and representatives of Beacon worked over the past month to come to an agreement regarding the amendment request and the implementation of the high stakes review. Beacon council would continue work with Mr. Ott regarding SB509 and amending the contract. Member Mackedon asked if the Authority needed a motion today? Mr. Ott says yes it would be best for the Authority to make their action clear through a motion and vote.

Member Mackedon motioned to approve the authority academic framework, the amendment request for consideration in July 2015, contingent on these conditions. The school execute amended and restated contract for the charter school contract and as council deems necessary for the performance framework and with the requirements for SB509 and clarify that the school can be in breach of contract or served with notice of closure. Member Wahl seconded.

- **Member Mackedon – Aye**
- **Member Conaboy – Aye**

- Member McCord – left
- Chair Johnon – Aye
- Member Wahl – Aye
- Member Ableman – Aye
- Member Luna – Aye

Agenda Item 5 - High Stakes Review of Nevada Virtual Academy based on Nevada Virtual's performance, against the Authority's expectations. Possible actions may include contract termination due to persistent underperformance or material breach of the terms and conditions of the charter contract, or a return to good standing. Nevada Virtual must demonstrate substantial progress towards meeting the Authority's academic performance expectations. Substantial progress will be based on the school's aggregate academic performance based on the Authority's academic indicators that will result in closing the gap between baseline (SY12/13) performance and "Adequate," as described in the performance framework within three years.

Member Mackedon would like to motion with a continuance for item #5, Member Luna seconded.

- Member Conaboy – Abstain
- Member McCord – Aye
- Chair Johnson – Aye
- Member Wahl – Aye
- Member Ableman – Aye
- Member Luna – Aye
- Member Mackedon – Aye

Agenda Item 2 - Approval of the February 26, 2016 and March 9, 2016 SPCSA Board Meeting Minutes

Chair Johnson asked that agenda Item #2 be moved to the April 29th meeting.

Member Conaboy would like to know if there is a propose dates for the board retreat. Mr. Gavin said that Mr. Peltier is already getting the retreat together.

Mr. McGaw said the minutes must be approved within 45 days or when the next meeting is; whichever is later. The next meeting will not incur within that window. Chair Johnson asked if we can approve and make changes later. Mr. McGaw said we can approve the minutes and put on agenda for next meeting with possible changes.

Agenda Item 9 - Public Comment #2

Carrie Hendricks council for Nevada Virtual Academy said the school would like more collaboration and more conversations in the future with Authority staff in the future.

Chair Johnson called for a motion to adjourn. Member Mackedon seconded.

The meeting adjourned at 4:06 pm.

STATE PUBLIC CHARTER SCHOOL AUTHORITY**SUPPORTING DOCUMENT****S U B J E C T: Director's Report**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / / </u>	Action

MEETING DATE: April 29, 2016

AGENDA ITEM: 3

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Patrick Gavin, Executive Director SPCSA**FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 15 Mins****SUBMITTED BY:** _____

STATE PUBLIC CHARTER SCHOOL AUTHORITY**SUPPORTING DOCUMENT****S U B J E C T: Alpine Academy School****Presentation**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / / </u>	Action

MEETING DATE: April 29, 2016

AGENDA ITEM: 4

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Jill Ross, Principal, Alpine Academy**FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 Mins****SUBMITTED BY:** _____

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

S U B J E C T: Consideration of Silver State
Charter School settlement agreement and
consideration of joint petition to appoint receiver

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: April 29, 2016

AGENDA ITEM: 5

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Greg Ott, Deputy Attorney General; Patrick Gavin, Executive Director,
SPCSA; Representatives of SSCS

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 Mins

SUBMITTED BY: _____

SETTLEMENT FRAMEWORK SILVER STATE CHARTER SCHOOL

The following constitutes an outline for settlement of Silver State Charter School's ("SSCS") possible petition for judicial review of the State Public Charter School Authority's ("SPCSA") decision to close the school after hearings on December 4 and January 4.

The following proposal was approved by the ~~SSCS-SPCSA Board governing body by a unanimous vote, 6-0,~~ on March 2~~5~~², 2016.

1. The current members of the SSCS governing body will be replaced by a receiver to fulfill the duties of the governing body until such time as the Authority can confirm members of the reconstituted governing body of SSCS. Once a quorum has been appointed, the receiver may step down.
2. The SPCSA will select the receiver, which will be confirmed by a court of competent jurisdiction after a joint petition by and between SPCSA and SSCS is approved by counsel for both entities. The order of receivership appointment will be between SSCS, the SPCSA and the receiver, such that the current governing body of SSCS will act to approve said order of appointment before stepping down. The petition shall be filed with the court not later than July 1, 2016 or this agreement becomes voidable by SSCS or the SPCSA;
3. Until a receiver is appointed, the governing body of SSCS will continue to fulfill the duties of that board;
4. The Authority and the receiver shall use best efforts to reconstitute the board, which shall occur not later than July 1, 2019;
5. Both the SPCSA and the SSCS boards acknowledge that this agreement does not constitute renewal of the charter and should the SPCSA decide not to renew SSCS's charter, this agreement will have no further force or effect. Both boards acknowledge that the reconstituted SSCS board's task is formidable and may take up to three years to make progress improving the school's performance to a satisfactory level as specified by statute and Nevada Administrative Code. However, the school must show progress to earn the full length of time necessary for complete turnaround by meeting initial milestones at the end of two years (by the end of the 2017-18 school year). The measures in the renewal will be objectively consistent with those set forth in the statutory scheme for charter contracts and will include specific milestones, each and all of which must be met, or the SPCSA shall consider closure of the school. The parties recognize that entrance into the Alternative Framework may require a recommendation from the sponsor of a charter school. The Parties agree that nothing in this agreement obligates the SPCSA as sponsor of Silver State to recommend Silver State for an Alternative Framework beyond the general duty of good faith and fair dealing implied in all contracts.
 - a. Milestones after two years (at the end of the 2017-18 school year) include: 1) the reconstitution of a Board that the Receiver believes is capable of completing a transformation, 2) graduation rate, as calculated by the Nevada Department of Education for the 2017-18 graduating class, or the 2013-14 adjusted cohort in accordance with 34 C.F.R. §200.19(b), increase to 345% or equivalent satisfactory rating on a statutorily-created Alternative Framework, and 3) clean financial audits with no material adverse findings relating to transactions, occurrences, or events that occurred after approval of this agreement.
 - b. Milestones after three years to (at the end of the 2018-2019 school year) include 1) "Adequate" on the SPCSA's academic performance framework, 2) 4560% or greater

graduation rate, as calculated by the Nevada Department of Education for the 2018-19 graduating class, or the 2014-15 adjusted cohort in accordance with 34 C.F.R. §200.19(b), 3) 3 star rating or equivalent satisfactory rating on a statutorily created Alternative Framework, as it may or may not exist, and 4) continued clean financial audits with no material adverse findings relating to transactions, occurrences, or events that occurred after approval of this agreement.

6. Upon approval of the renewal, SSCS will waive its appellate rights in relation to the closure at issue any and all alleged violations of NRS 233B, and the SPCSA will agree to take no action on any currently agendized notices of closure and pursue no further closure for past graduation rates or as to other academic matters prior to the application for renewal except for those included in this agreement;
7. Upon the receiver's appointment by a court pursuant to a joint petition the current members of the SSCS governing body will dissolve. The receiver will step in as the governing body subject to all current contracts, obligations, employment agreements, etc., of SSCS.
8. The SPCSA and SSCS Board's agree to jointly submit the names of three trustees to the Court that appoints the receiver. The court shall appoint one trustee whose sole duty shall be to hold the capacity to bring action on behalf of SSCS to enforce the receivership appointment. No other entity shall have standing to enforce the appointment on behalf of SSCS. Should the Trustee bring an action to enforce the receivership appointment which is unsuccessful and the court determines to be in bad faith, the SPCSA shall have the right to declare this agreement void and proceed with any and all accountability measures against the school.

1 ADAM PAUL LAXALT
Nevada Attorney General
2 GREGORY D. OTT
Deputy Attorney General
3 Nevada Bar No. 10950
100 N. Carson Street
4 Carson City, Nevada 89701-4717
Phone: 775-684-1219
5 FAX: 775-684-1108
*Attorneys for the State of Nevada,
6 State Public Charter School Authority*

7
8 **IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
9 **IN AND FOR CARSON CITY**

10 STATE OF NEVADA, *ex rel.* its STATE
PUBLIC CHARTER SCHOOL
11 AUTHORITY,

12 Petitioner,

13 v.

14 SILVER STATE CHARTER SCHOOL,

15 Respondent.

CASE NO.

DEPT. NO.

**JOINT PETITION FOR APPOINTMENT
OF RECEIVER**

16 Comes Now, the State of Nevada *ex rel.* its State Public Charter School Authority
17 ("Petitioner" or "SPCSA"), by and through counsel, ADAM PAUL LAXALT, Attorney General of
18 the State of Nevada, and GREGORY D. OTT, Deputy Attorney General, joined by, and with
19 the fully informed consent of Silver State Charter School ("Respondent" or "Silver State")
20 petitions this honorable court as follows:

21 To appoint a qualified independent and neutral receiver ("Receiver"), not currently
22 serving on Governing Board of or employed by either Party, with a background in education,
23 school finance, school administration, and/or business, to fulfill the obligations and duties of
24 the Governing Board of Silver State Charter School until such time as the Petitioner, through
25 the recommendations of this court appointed Receiver is able to fully reconstitute the
26 governing board of Respondent, which shall occur no later than [REDACTED], and which shall
27 follow the procedure outlined in Section 6, subsection 1 of Senate Bill 509 of the 78th session
28

1 of the Nevada Legislature approved by the Governor on June 10, 2015 and effective January
2 1, 2016 for reconstituting the governing body.

3 To appoint a trustee whose sole duty shall be to hold the capacity to bring action on
4 behalf of Silver State to enforce the receivership ~~appointment~~.

5 6 **Parties**

7 1. Petitioner, SPCSA, is a political subdivision of the State of Nevada created by NRS
8 386.509 with the express purposes of authorizing charter schools of high-quality through this
9 state and providing oversight to the charter schools that it sponsors to ensure that those
10 charter schools maintained high education and operation standards and to safeguard the
11 interests of pupils and the community.

12 2. Respondent, Silver State, is a Nevada State funded charter school located in Carson
13 City, Nevada organized, operated and governed pursuant to Chapters 386 of the Nevada
14 Revised Statutes and the Nevada Administrative Code, which govern Local Administrative
15 Organization relating to Charter Schools, and Title 23 of the Nevada Revised Statutes,
16 governing Public Officers and Employees under Nevada Revised Statutes under Chapter 281.

17 **Jurisdiction**

18 3. Respondent is organized and operates in Carson City, Nevada, with its physical
19 location being 788 Fairview Drive, Carson City, NV.

20 4. Section 6, Subsection 2 of Senate Bill 509 of the 78th session of the Nevada Legislature
21 approved by the Governor on June 10, 2015 and effective January 1, 2016 allows the
22 Petitioner to petition the district court to appoint a receiver, to be paid from the funds of the
23 charter school, to fulfill the obligations and duties of the Governing Board of the charter
24 school.

25 **Factual History**

26 5. On October 26, 2015 the SPCSA sent Silver State a Notice of Closure notifying Silver
27 State of two separate deficiencies including allegations of (1) a pattern of fiscal
28

1 mismanagement by current and past staff and members of the charter school's governing
2 body and a failure to comply with generally accepted standards of fiscal management and (2)
3 investment in a derivatives account.

4 6. After the Issuance of Notice of Closure, Silver State undertook efforts to cure the stated
5 deficiencies alleged in the Notice of Closure.

6 7. The SPCSA Board commenced a public hearing to consider whether to revoke the
7 written charter on December 4, 2015, wherein Silver State appeared and presented evidence
8 of measures taken to cure the stated deficiencies. The Parties dispute whether Silver State
9 submitted sufficient evidence to cure the alleged deficiencies and whether the SPCSA
10 followed proper procedure for revocation of a written charter.

11 8. The public hearing to consider whether to revoke the written charter was continued by
12 the SPCSA Board to January 4, 2016 and additional time was given to Silver State to submit
13 documentary evidence to the SPCSA Board.

14 9. The public hearing concluded on January 4, 2016, with the SPCSA Board voting to
15 revoke the written charter of Silver State Charter School. However, the school remains fully
16 operational.

17 10. The SPCSA Board considered Findings of Fact and Conclusions of Law regarding its
18 decision to revoke the written charter of Silver State at its March 9, 2016 Board meeting, at
19 which time counsel for Silver State raised several procedural and substantive issues related to
20 the closure process, and announced Silver State's intention to file a petition for judicial review.

21 11. After declining to adopt any Findings of Fact and Conclusions of Law, the SPCSA
22 Board directed counsel to confer with counsel for Silver State regarding a possible resolution
23 that would allow the school to remain open.

24 12. Counsel for the SPCSA and Silver State engaged in substantive negotiations that
25 eventually produced a Settlement Framework (attached as exhibit "A") which has been
26 adopted and approved by both the SPCSA (on DATE OF APPROVAL) and the Silver State

(on DATE OF APPROVAL) Governing Board and is fully incorporated herein and which the Parties request become part the order of appointment of receiver.

13. The Settlement Framework requires Petitioner and Respondent to jointly petition this Court for the Appointment of a Receiver to take over the responsibilities of the Governing Board of Silver State subject to all current contracts, obligations, etc., of Silver State.

Appointment of Receiver and Trustee

14. Pursuant to the Court's power under Section 6, Subsection 2 of Senate Bill 509 of the 78th session of the Nevada Legislature, the SPCSA and Silver State jointly request this Court appoint a neutral, independent, and qualified receiver, that is not currently serving, and has not previously served on the Governing Board of or been employed by either Party, from the list of qualified individuals to be submitted by the Petitioner as directed by this Court, to take on the responsibilities of the Governing Board of Silver State.

15. The Receiver shall have the responsibilities of, and perform the duties, be subject to the obligations, and subject to the limitations of the Governing Board of Silver State, as set forth in NRS Chapter 386, including but not limited to the charter, Bylaws, Policies and Procedures of the Board, and the Settlement Framework, attached hereto as exhibit "A."

16. The Receiver is also subject to all current personnel contracts, and will abide by the existing charter, Bylaws, Policies and Procedures of Silver State, (collectively, "Silver State's Governing Documents") which shall remain in full force and effect and may only be terminated or modified according to the existing terms or processes. The Receiver shall not terminate or demote the current executive director of SSCS without cause for at least one year following the appointment of the Receiver, and then only as outlined in the current executive director agreement.

17. The Receiver shall have the ability to modify or cancel non-personnel contracts, leases or other contracts, as the Receiver may deem in his discretion to be appropriate for or benefit of the students of Silver State; and to terminate any existing non-personnel contract, agreement or instrument which is not commercially reasonable or beneficial.

18. The Receiver ~~should~~ shall also have the power to petition this court for clarification of his or her rights, powers, duties and obligations as Receiver and should have the same power as ~~a the~~ the Governing Board of Silver State to amend Bylaws, Policies and Procedures of the Board, and to seek to amend the charter ~~contract~~ as necessary.

19. At least quarterly, the Receiver shall meet with the Executive Director of Silver State to discuss the operations of Silver State.

20. At least quarterly, the Receiver shall hold a public meeting consistent with the requirements of the Open Meeting Law (NRS Chapter 241) to discuss issues related to the exercise of his or her duties or report to the SPCSA Board at a public meeting where meeting consistent with the requirements of the Open Meeting Law (NRS Chapter 241) and receive public comment regarding the same.

21. At least quarterly, the Receiver shall file with the Court a progress report, including an expense report, with notice provided to the trustee and posted on Silver State's website. All expenses, including the Trustee's fees and the Receiver's own fees and the fees of any professionals hired by the Trustee or the Receiver, shall be approved by the Court. All fees payable to the Trustee and Receiver shall be approved by the Court before they are paid.

22. The Receiver shall petition the SPCSA Board ~~or the Court~~ for approval of any proposed changes to Silver State's Governing Documents, and if the SPCSA approves such a petition, the Receiver shall then Petition the Court for approval of the same. No such amendment shall be effective until approved by the SPCSA Board ~~or~~ AND the Court.

23. Additionally the SPCSA and Silver State jointly request this Court to appoint a qualified independent and neutral trustee of Silver State from the list of qualified individuals (attached as exhibit "B" to this petition). The trustee's sole duty shall be to hold the capacity to bring action on behalf of Silver State to enforce the receivership ~~appointment~~.

24. Attached hereto as Exhibit "C" is a proposed order mirroring this Petition.

1 DATED this ____ day of April, 2016

2
3 Consented to and Joined by
4 Silver State Charter School

ADAM PAUL LAXALT
Nevada Attorney General

5 By:

6 RYAN RUSSELL
7 Allison MacKenzie, Ltd.
8 402 North Division Street
9 P.O. Box 646
10 Carson City, Nevada 89703
11 (775) 687-0202
12 *Attorneys for Respondent*

By:

GREGORY D. OTT
Deputy Attorney General
Nevada Office of the Attorney General
100 North Carson Street
Carson City, Nevada 89701

13 CERTIFICATE OF SERVICE

14 I certify that I am an employee of the State of Nevada, Office of the Attorney General,
15 and that on this ____ day of ____, 2016, I served a true and correct copy of the foregoing
16 JOINT PETITION FOR APPOINTMENT OF RECEIVER, via U.S. Mail
17

18
19 Employee of the State of Nevada
20 Office of the Attorney General

21 4825-8256-6160, v. 1

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STATE PUBLIC CHARTER SCHOOL AUTHORITY**SUPPORTING DOCUMENT****S U B J E C T: Director Evaluation**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: April 29, 2016

AGENDA ITEM: 6

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Adam Johnson, Chair, SPCSA**FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 Mins****SUBMITTED BY: _____**

Executive Directors Evaluation April 2016

It was determined, that, although not ideal, the State Public Charter School Authority's Strategic Plan should serve as the basis for the initial executive director evaluation. Each board member and Executive Director, Patrick Gavin, rated the executive director against the following areas:

- Open and sustain quality new schools
- Establish performance-based contracts for all schools
- Collaborate to improve the environment for Nevada charter schools

One area of the strategic plan, (support strong school governance) was not considered, as there was no available data to for that metric.

All three areas were measured using a 4-point scale:

1. Does not meet expectations
2. Needs development
3. Meets expectations
4. Exceeds expectation

Please see the attached strategic plan for the average score in all three areas, and the overall performance rating.

Additionally, all board members and Executive Director Gavin, answered the following questions:

- What are the implications for the board?
- What should be the board's top priority?
- What are the implications for the executive director?
- What should be the executive director's top priority?

A summary of the top concerns follows. A full discussion of these concepts and ideas will take place at the board retreat

What are the implications for the board?

Adopting a strategic plan aligned with the Governors strategic framework by July 1, 2016 in order for it to be considered in the budgeting or policy making process. The strategic plan should focus on outputs aligned to performance framework.

Major priorities might include: number and percentage of high-quality seats; number/percentage of low-income students in high quality seats; percentage of schools ~~that are~~ within 10 percent of their sending school's demographically.

Establish processes based on regulations

What should be the boards top priority?

Establishing regulations for high stakes reviews, site visits, and closures due to low academic performance.

Engage stakeholders in an effort to reach an understanding of the Governor's policy intentions re: the future of the charter sector in the state, including the SPCA's relationship with the Achievements School District, the Harbormaster and the CSP goals.

Engage additional legal support for the board.

Empower staff to submit recommendations to the finance office for additional staffing and infrastructure capacity.

| Regarding schools, helping establish full funding equity, including facilities.

What are the implications for the executive director?

Build a business case for resourcing top priorities based on the strategic plan.

Work on additional policy changes needed to improve the authorities ability to focus on high achievement and accountability.

What should be the executive directors top priority?

Revamping agency structure and process to support performance framework and align with existing and new regulations.

Operational capacity

State Public Charter School Authority Annual Evaluation Form			
Goal: By 2016, increase the number of SPCSA-sponsored quality charter schools from 4 to 12 based upon the Authority's performance framework.			
Strategies	Measures	Targets	Ratings
Open and sustain quality new schools	2014 approved applications: <ul style="list-style-type: none"> 8 applications/category 8 applications heard 2 applications approved 0 applications recommended by staff and not approved 	2015 approved applications: <ul style="list-style-type: none"> 4 applications/category 3 applications heard 2 applications approved 0 applications recommended by staff and not approved 	
	Number of schools meeting quality criteria after 1, 2, and 3 years: <ul style="list-style-type: none"> # schools rated adequate and above in 2011–2012 (62%) # schools rated adequate and above in 2012–2013 (67%) # schools rated adequate and above in 2013–2014 (77%) 		
	Number of replications of quality schools: <ul style="list-style-type: none"> 8 new sites/campus expansions 0 replications in other counties 		
	Number of schools adopting new contracts: Not Applicable		
Establish performance-based contracts for all schools	Number of school renewals: <ul style="list-style-type: none"> 4 total renewals 2 schools with high-stakes reviews 		
	Number of school closures: No closures since 2012		
	Percentage of schools with effective boards: Unavailable		
Support strong school governance	Percentage of boards receiving technical assistance: Unavailable		
	2013 Alliance rating of Nevada charter school laws: 14		
	2014 Alliance rating of Nevada charter school laws: 13		
	Partner numbers and types engaged in Stakeholder group:		
Collaborate to improve the environment for Nevada charter schools	New funding sources for charter schools: <ul style="list-style-type: none"> Categorical grants from the legislature Grants secured by the Authority Loans and other sources 		
Overall Performance Rating			

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT**S U B J E C T: Nevada Department of
Education Presentation**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: April 29, 2016

AGENDA ITEM: 7

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Dr. Steve Canavero, Superintendent NDE**FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 Mins****SUBMITTED BY:** _____